IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 2910 of 2005

Date of decision: 24.04.2007

Major J.K. Batra Retd.

..... Petitioner.

Versus

Prem Tagra

..... Respondent.

CORAM: HON'BLE MR. JUSTICE M.M. AGGARWAL

Present:- Mr. S.S.Virk, Advocate
for the petitioner.

M.M.AGGARWAL, J. (ORAL)

This is a petition against the order dated 23.04.2005 of Additional Civil Judge (Senior Divison), Panipat whereby application of the plaintiff under Order 1 Rule 10 of Code of Civil Procedure to implead Municipal Committee through its President and Baldev Raj Tagra, who happened to be father of the defendant, was declined.

In this case, defendant-respondent, had not appeared inspite of service.

After hearing counsel for the petitioner and going through the order, I find it appropriate that petitioner-plaintiff should file a fresh suit.

Under these circumstances, petition is allowed to be dismissed as withdrawn with liberty to file a fresh suit on the same cause of action.

April 24, 2007 **(M.M. AGGARWAL)**
Dinesh **JUDGE**